

### **REMARKS**

In view of the above amendment, Applicants believe the pending application is in condition for allowance.

Claims 2-8 are now present in this application. Claim 1 has been canceled, and claims 2-6 and 8 have been amended. Claims 2, 3, 5 and 6 are independent.

Reconsideration of this application, as amended, is respectfully requested.

### **Priority Under 35 U.S.C. § 119**

The Examiner has not acknowledged Applicants' claim for foreign priority under 35 U.S.C. § 119, and receipt of the certified priority document. Acknowledgment thereof by the Examiner in the next Office Action is respectfully requested.

### **Information Disclosure Citation**

Applicants thank the Examiner for considering the reference supplied with the Information Disclosure Statement filed 12/30/2005, and for providing Applicants with an initialed copy of the PTO-SB08 form filed therewith.

### **Drawings**

Since no objection has been received, Applicants assume that the drawings are acceptable and that no further action is necessary. Confirmation thereof in the next Office Action is respectfully requested.

### **Rejection Under 35 U.S.C. § 112, 2<sup>nd</sup> Paragraph**

Claim 5 stands rejected under 35 U.S.C. § 112, 2<sup>nd</sup> Paragraph. This rejection is respectfully traversed.

The Examiner has set forth certain instances wherein the claim language lacks antecedent basis.

In order to overcome this rejection, Applicants have amended claim 5 to correct each of the deficiencies specifically pointed out by the Examiner. Applicants respectfully submit that the

claims, as amended, particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

**Rejection Under 35 U.S.C. § 102**

Claims 1, 4 and 8 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Nethercutt et al. This rejection is respectfully traversed.

A complete discussion of the Examiner's rejection is set forth in the Office Action, and is not being repeated here.

While not conceding the appropriateness of the Examiner's rejection, but merely to advance prosecution of the instant application, Applicants respectfully submit that claim 1 has been cancelled, and claims 4 and 8 have been amended to depend from allowable claims, thus rendering this rejection under 35 U.S.C. § 102(b) moot. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

**Allowable Subject Matter**

Applicants thank the Examiner for the early indication of allowable subject matter in this application. Objected-to claims 2, 3, 5 and 6 have been rewritten into independent form, and should therefore be allowed. Also, claims 4, 7 and 8 depend, either directly or indirectly, from independent claim 3 or 6, and are therefore allowable based on their dependence from claim 3 or 6 which are believed to be allowable.

**Additional Cited References**

Since the remaining references cited by the Examiner have not been utilized to reject the claims, but have merely been cited to show the state of the art, no comment need be made with respect thereto.

**Conclusion**

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone James T. Eller, Jr., Registration No. 39,538, at (703) 205-8000, in the Washington, D.C. area.

Prompt and favorable consideration of this Amendment is respectfully requested.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

**Dated: July 2, 2009**

Respectfully submitted,

By

  
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